

EFFECTIVE DATE: March 31, 2014

PROCEDURE INSTRUCTION LETTER NO. I14-III-01

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SUBJECT: Reissue of I12-III-02: Criteria for Issuance and Maintenance of Special
Investigation Credentials

Scope

This Procedure Instruction Letter (PIL) applies to all Coal and Metal and Nonmetal Mine Safety and Health Administration (MSHA) enforcement personnel and OAASEI's Technical Compliance and Investigation Office personnel.

Purpose

The purpose of this PIL is to establish uniform criteria for the training and retraining of MSHA personnel assigned to conduct special investigations pursuant to Sections 105(c), 108, and 110 of the Federal Mine Safety and Health Act of 1977.

Procedure Instructions

Individuals selected for training and assignment as special investigators must complete all required training prior to the issuance of Special Investigation Credentials. The required training consists of two modules (five weeks) of classroom training and specific on-the-job training conducted in the district. Every individual selected as a special investigator must complete the required training and be credentialed within 18 months of the selection.

All individuals issued Special Investigation Credentials must complete two weeks of designated special investigator refresher training every two years and complete at least one investigation each year under Section 105(c) or 110 of the Mine Act in order to retain their credentials.

District Managers shall be responsible for the selection of individuals for the special investigation program, for their attendance at the scheduled classroom training, the completion of the on-the-job training, and the attendance of credentialed investigators at scheduled refresher training.

The Technical Compliance and Investigations Office (TCIO) shall be responsible for scheduling and conducting all required classroom and refresher training. Failure to comply with the training and retraining provisions of this policy can result in the suspension or revocation of Special Investigation Credentials.

Special Investigation Credentials will be collected by the Supervisory Special Investigator when a special investigator separates from MSHA or is reassigned to another position within the Agency. The credentials should be forwarded to TCIO by certified mail for cancellation. The District Manager may request, in writing, that credentials be retained for a designated period of time for specific reasons. The memorandum should include a justification for the retention request such as, manpower issues or influx of open investigations, etc. The request must be approved by OAASEI's TCIO.

Background

This PIL establishes uniform procedures and training requirements regarding the issuance and maintenance of Special Investigation Credentials. It brings MSHA's credential policy in compliance with existing Department of Labor policies and specifies the special investigation training requirements referred to in the Special Investigations Procedures Handbook.

Authority

§505 of the Federal Mine Safety and Health Act of 1977; 30 U.S.C. §954.

Filing Instructions

This Procedure Instruction Letter should be filed in the Special Investigation Procedures Handbook.

Issuing Office and Contact Person

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Distribution

All Program Policy Manual Holders
District Managers